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In re Application of :
Mervyn John ROSE, et al :
Application No. 10/773,696 : **DECISION ON PETITION**
Filed: February 6, 2004 :
Docket No. 85170-5100 :

This is a decision on the renewed petition under the unintentional provisions of 37 CFR 1.137(b), filed November 12, 2008, to revive the above-identified application.


The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, October 2, 2007, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on January 3, 2008.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$1540; and (3) and the required statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to Diane Goodwyn at (571) 272-6735.

This application is being referred to Technology Center AU 2813 for appropriate action by the Examiner in the normal course of business on the reply received November 12, 2008.


Thurman Page
Petitions Examiner
Office of Petitions